

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDWARD A. WILLIAMS,

Plaintiff,

v.

MERRICK B. GARLAND et al.,

Defendants.<sup>1</sup>

Civil Action No. 17-CV-2641

**DEFENDANTS' STATUS REPORT**

On June 6, 2023, Plaintiff filed a document captioned “Joint Status Report.” ECF No. 66. Contrary to that caption, counsel for Plaintiff did not confer with counsel for Defendants before filing his Report—despite the Court having ordered “[t]he Parties” (plural) to file a status report within twenty days of the docketing of the Third Circuit’s *en banc* decision in *Range v. Attorney General United States of America*, 53 F.4th 262, 266 (3d Cir. 2022), *reh’g en banc granted, opinion vacated sub nom. Range v. Attorney General United States of America*, No. 21-2835, 2023 WL 118469 (3d Cir. Jan. 6, 2023), and the Parties’ joint filing of a previous status report pursuant to that Order. ECF No. 64 (Order); ECF No. 65 (Joint Status Report).

In any event, as Plaintiff noted in his status report, the Third Circuit, sitting *en banc*, issued its decision in *Range* on June 6, 2023. The Court emphasized that “[its] decision . . . [was] a narrow one”—namely, that the Government had not satisfied its burden to establish that the plaintiff in that

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<sup>1</sup> Hon. Merrick B. Garland, Steven M. Dettelbach, and Christopher Wray are automatically substituted as Defendants in this action pursuant to Rule 25(d) of the Federal Rules of Civil Procedure. *See* ECF No. 55 at 1 n.1.

action, who pleaded guilty in 1995 to one count of making a false statement to obtain food stamps, could be disarmed consistent with the Second Amendment. *Range*, slip op. at 5, 22; *see also id.* at 18 n.9 (expressly declining to decide whether the Government may disarm someone with a criminal history indicating that his or her “possession of guns would . . . threaten the public safety” (quoting *Kanter v. Barr*, 919 F.3d 437, 454 (7th Cir. 2019) (Barrett, J., dissenting))).

In light of the foregoing, Defendants propose that the Parties confer and jointly propose next steps in this litigation in light of the Third Circuit’s *en banc* decision in *Range*.

Dated: June 7, 2023

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Status Report was filed through the CM/ECF system,  
which will provide electronic notice to the following counsel:

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